

**ALAMEDA COUNTY SUPERIOR COURT**  
**APPLICATION FOR APPOINTMENT TO ADR PANELS**  
*including Judicial Arbitration, Mediation, Neutral Evaluation, and Private Arbitration*

**1. APPLICANT:**

Applicant's Name: Michael Douglas Goforth  
Firm Name: Law Office of Goforth & Lucas  
Address: 2300 Clayton Road, Suite 1460  
  
City/State/Zip: Concord, CA 94520  
Telephone: (925) 682-9500 Fax: (925)682-2353  
Email: MDG@GoforthLucas.com

**2. PANEL REQUEST:** *(All applicants are requested to serve as Judicial Arbitrators)*

Check each panel for which you are applying:

☒ Judicial Arbitration    ☒ Mediation    ☒ Neutral Evaluation    ☒ Private Arbitration

**3. EDUCATION:**

<u>Dates (from-to)</u>	<u>College/University/Law School</u>	<u>Degree Obtained</u>
<u>1975-1978</u>	<u>Western State School of Law</u>	<u>Juris Doctor</u>
<u>1971-1972</u>	<u>University of California, Berkeley</u>	<u>B.A.</u>
<u>1965-1971</u>	<u>Laney College</u>	<u>A.A.</u>

**4. LEGAL EXPERIENCE:**    State Bar No. 85610    Date Admitted: 05/31/1979

A. Are you a member in good standing of the State Bar of California?    ☒ Yes    \_\_\_ No

B. Are you a retired judicial officer?    \_\_\_ Yes    ☒ No

Please describe when/where you last served as a judicial officer: \_\_\_\_\_

C. Are you actively engaged in the practice of law at this time?    ☒ Yes    \_\_\_ No

If not, are you retired from practice? \_\_\_\_\_ Date retired: \_\_\_\_\_

If your license is presently inactive, please explain: \_\_\_\_\_

D. Are you currently active in litigation practice?    ☒ Yes    \_\_\_ No

Approximately what percentage of your practice involves litigation?    50%

E. If your practice includes personal injury litigation, approximately what percentage of your practice involves the representation of: plaintiffs 70%;    of defendants 30 %?

F. How many of the following have you personally handled as attorney of record in the past five years?    Jury Trials 3; Court Trials 3; Mediations 160; Arbitrations 20;

G. Describe any legal publications or teaching you have done: \_\_\_\_\_

**5. ADR TRAINING and EXPERIENCE**

A. Number of years experience as: mediator Several times since 1979 Arbitrator \_\_\_\_\_; neutral evaluator \_\_\_\_\_;

B. List all other court-connected ADR panels of which you are a member, specifying the processes for which you have qualified: Contra Costa County Fee Arbitration Panel.

C. State the name(s) of any organization(s) through which you have provided ADR services during the past five years, giving the dates and the services you provided: \_\_\_\_\_

D. Describe the subject matter of five disputes in which you served as the ADR provider in the past 5 years, including the dates of service, the process and if you were sole or co-provider.  
1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_  
5. \_\_\_\_\_

E. Is your ADR style best described as \_\_\_\_\_ facilitative or X evaluative/directive?

F. Describe any ADR related publications or training you have done: \_\_\_\_\_

G. Set forth your hourly fee or fee schedule, including any sliding scale or pro bono provisions.  
Attach a copy of your fee agreement. (Please note: Judicial arbitrators waive compensation for the first three (3) hours of hearing time in Alameda County and all ADR panelists are requested to accept at least three (3) Judicial arbitration cases per year).

\$200.00 per hour, two parties; \$250.00 per hour, multi-party; split between the parties.

A. List any languages, other than English, in which you are able to conduct ADR proceedings:  
I speak conversational- level Spanish.

B. Please state any special bi-cultural/multi-cultural capabilities or familiarity you possess:  
\_\_\_\_\_

C. You are available to conduct ADR conferences: X in your office; X at counsel's office; \_\_\_\_\_ other (please describe: \_\_\_\_\_)

D. You are available to conduct ADR proceedings: \_\_\_\_\_ during regular office hours; X evenings by appointment; X weekends by prior arrangement;

Please describe any requirements you have for ADR participants such as submission of copies of pleadings, briefs, declarations in lieu of testimony, etc.: Briefs must be submitted 5 calendar days in advance with exhibits- pleadings, photos, bills, contracts, and related evidence should be submitted only if the submitting party believes that all the particular documents will be of assistance to me in preparation.

## 7. SUBJECT MATTER DESIGNATION

Please check each area below in which you are qualified by training/experience to provide ADR services, indicating the percentage it represents of your law practice, if any, and the ADR process(es) which you are prepared to offer in that area:

Case Type Accepted	% of Practice	Judicial Arb.	Mediation	Neutral Eval.	Private Arb.
Bankruptcy	0				
Business/Corp.	2%	X	X	X	X
Civil Rights	1%	X	X	X	X
Collections	2%	X	X	X	X
Construction	5%	X	X	X	X
Contracts	5%	X	X	X	X
Elder law/abuse	5%	X	X	X	X
Employment					
-Discrimination	2%	X	X	X	X
-Harassment	2%	X	X	X	X
-Termination	2%	X	X	X	X
Environmental	0				
Fraud	2%	X	X	X	X
False Imprison.	2%	X	X	X	X
Family Law	0				
HO Ass'n	0				
Insurance Cov.	5%	X	X	X	X
Intellect. Property	0				
Landlord-Tenant	2%	X	X	X	X
Legal Malpractice	2%	X	X	X	X
Maritime	1%	X	X	X	X
Med Malpractice	2%	X	X	X	X
Partnership	0				
P.I. – Auto	20%	X	X	X	X
P.I. – Other	15%	X	X	X	X
Premises Liability	10%	X	X	X	X
Probate/Trust	0				
Product Liab.	5%	X	X	X	X
Real Property	5%	X	X	X	X
Securities	0				
Tax	0				
Toxic Torts	1%	X	X	X	X
Wrongful Death	2%	X	X	X	X
Other:					
Workers' Comp/ Third Party Issues	Included in above	X	X	X	X

## 8. DISCLOSURES *(Attach a full explanation, including relevant dates, for each "YES" answer.)*

Michael D. Goforth Mediation Services  
LAW OFFICES OF GOFORTH & LUCAS  
2300 Clayton Road, Suite 1460  
Concord, CA 94520  
Tel : (925) 682-9500  
Fax : (925) 682-2353

ALTERNATIVE DISPUTE RESOLUTION FEE AGREEMENT

Mediation is an informal dispute resolution process that seeks to facilitate settlements of disputed matters through negotiations. Disputes referred to Michael D. Goforth for Private Mediation and/or Arbitration Hearings are scheduled for the soonest mutually agreeable date and usually start at 10:00 a.m. at the above office, unless a remote location is agreed to. Mediation does not occur unless both parties agree to mediate. After requests for mediation are received, Michael D. Goforth schedules the date, the time, and the location of the mediation session. The mediator, Michael D. Goforth, is a licensed attorney at law in California and possesses the experience to serve effectively in a facilitative role.

Often disputes arise out of a misunderstanding concerning the expectations and responsibilities of the parties. As a mediator, Michael D. Goforth strives for open communication, with the understanding that the mediator is not acting as a lawyer or fact finder, but as a neutral individual whose purpose is to promote settlement between parties.

By agreeing to participate in the ADR hearing with mediator/arbitrator Michael D. Goforth, the parties agree as follows:

- All parties' best efforts will be made to resolve the dispute.
- Communications with the mediator are confidential.
- The mediator will not be called as a witness in any proceeding.

Private mediation/arbitration is designed to be a quick and effective means of resolving disputes. There is a flat fee of \$200.00 per hour split between the parties. Mediation does not stop the running of any statute of limitations and the parties are reminded to take any action necessary to protect their legal rights. In cases where mediation results in only a partial settlement of the dispute, either party may seek additional relief through the courts.

Parties agreeing to mediation will receive a Confidentiality Agreement at the start of the hearing and will be asked to sign it. The mediator will review all written submissions by the parties before the meeting.

At the mediation meeting, Michael D. Goforth listens to both sides of the dispute and attempts to identify the issues and interests of each party. He then facilitates a resolution of the dispute, to assist the parties in jointly solving the identified problems. In most cases Michael D. Goforth will meet separately in *confidential* sessions with each party. If the parties reach a mutually acceptable resolution of the dispute, the settlement will be put in writing and agreement will be binding on the parties.

_____	_____
_____	_____
_____	_____